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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,360	09/11/2003	Yann Le Maguet	FR000040A	5507

24737 7590 06/25/2007

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER
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CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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06/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/660,360	<b>Applicant(s)</b> LE MAGUET, YANN	
	<b>Examiner</b> Dave Czekaj	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3-7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-7,9 and 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/11/03</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 3-7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keesman (5729293) in view of Wee et al. (6697061), (hereinafter referred to as "Wee").

Regarding claim 3, Keesman discloses an apparatus that relates to a method of transcoding coded signals (Keesman: column 1, lines 6-9). This apparatus comprises "decoding the encoded data signal and providing a decoded data signal" (Keesman: figure 10, item 212), "a re-encoding step performed on a modified data signal and generating a coding error" (Keesman: figure 10, wherein the re-encoding is performed by item 213; column 11, lines 7-19, wherein the subtraction generates the error signal), and "an intermediate step inserted between the decoding and re-encoding steps comprising a subtraction operation between the decoded signal and a motion-compensated signal obtained from the coding error" (Keesman: figure 10, item 440, wherein the subtraction is performed by item 245). However, this apparatus lacks inserting an additional data signal as claimed. Wee teaches that in prior art coding systems, re-compression can be quite time intensive (Wee: column 2, lines 50-

55). To help alleviate this need, Wee discloses "sub-steps for inserting an additional data signal" (Wee: column 6, lines 15-26, wherein the additional data signal is the logo). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Keesman and add the processing taught by Wee in order to obtain an apparatus that helps reduce the re-encoding time needed for video applications.

Regarding claim 4, Keesman in view of Wee disclose "the residual signal resulting from the difference between the additional data and its predicted version, characterized in that the residual signal is subtracted from the motion-compensated signal" (Keesman: figure 10, item 440, wherein the subtraction is performed by item 245; Wee: figures 4 and 8; column 7, lines 60-67, wherein the motion search processing comprises the differences).

Regarding claim 5, Wee discloses "the additional data signal is added to the coding error and decoded data signal by an adding sub-step" (Wee: figure 4, wherein the logo is added at step 108).

Regarding claim 6, Keesman in view of Wee disclose "the additional data signal is added to the coding error and subtracted from the motion-compensated signal" (Keesman: figure 10, item 440, wherein the subtraction is performed by item 245; Wee: figure 4, wherein the logo is added at step 108).

Regarding claims 7, 9, and 10, note the examiners rejection for claim 3.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-6226041      05-2001      Florencio et al.

US-5870146      02-1999      Zhu

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJC

*Mehrdad Dastouri*  
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**SUPERVISORY PATENT EXAMINER**  
*TC 2600*